

Proposals Concerning 28.
THE
CHANCERY.

Wherein is set forth the Desires of
divers well-affected-Persons, for the
Regulating of the high-Court of *Chancery*, and
the Proceedings there; And abolishing of
severall Fees, Offices and Officers,
thereunto belonging.

*Tendred to the Consideration of the Honourable
Committee for Regulating Courts of Justice,
and all others whom it may concern.*

And published to the view of the Nation, whereby
every well-meaning-Man to the Publique may joyn,
in all lawfull wayes, for obeyning a
just Settlement and Regulation
of the said COURT.

With a very usefull Table thereto Annexed.

LONDON Printed by *William Ellis*, and are to bee sold
by *George Badger*, at his Shop in *St. Dun-*
stons Church-yard in Fleet-street.
An. Dom. 1650.

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CHANCERY

Wherein is set forth the Duties of
divers well-affecting Persons, for the
regulating of the High Court of Chancery, and
the Proceedings therein, and holding of
feveral Fees, Offices, and Officers,
thereunto belonging.

Printed by the Stationer of the University
Committee for Rectifying Courts of Justice,
and the order whereof is now concerned.

And one of the said Persons, who by
every well-affecting Man to the Publick may have
in all such ways, for obtaining
the said Court.

With a new style of the same.

40-99

Printed by J. Sturges, at the shop in St. Pauls Church-yard, in London.



Proposalls concerning the CHANCERY.



God doth dispose his Government by *Justice* and *Mercy*, whereof notwithstanding *Mercy* hath the supreme place in the Lords Tabernacle, as that which was put above upon the *Arke*, wherein were the two Tables of Stone, in which the *Law* was written; To which Saint *James* alluding [*Jam.* 2. 13.] saith, *That Mercy triumpheth over Judgement*: So the Princes of this Land, in imitation of that Heavenly representation have appointed two supreme States of Government; the one of *Justice*, wherein nothing but the strict Letter of the Law is observed; the other of *Mercy*, wherein the rigour of the Law is tempered with the sweetnesse of *Equity*, which is nothing else but *Mercy* qualifying the sharpnesse of *Justice*, *Nam ipsi enim Leges cupiunt ut iure regantur, id est, ut illi facili ac benigna interpretatione temperentur.*

The *Chancery* is of such Antiquity, that it hath beene time out of memory of Man, and of that continuance, that its prescription is as ancient as the Realme, which *Custom* is of so high nature and authority, it cannot bee altered or changed without the Authority of a Parliament, being next in preheminency and power
unto

unto it, and is called, *Officina Justitia & Veritatis* : and is of that use to the Common-wealth for discovery of Fraud, Circumvention, breach of Trust, Secreting and Concealing of Estates, Evidences, Writings ; for preservation of the Testimony of aged Witnesses ; For regulating and restraining the rigour and strictness of the Common-Law , and for supplie of Reliefe in a just and equitable way, wherein the Common-Law is deficient , and for divers other good ends, publique and generall Purposes and Advantages to the Republicke, that the Common-wealth cannot well subsist without it.

2. *Ed. 6.* But the Court, and the end for which it was originally Established, is so corrupted and abused , by multiplicity of Offices and Officers, the great and vast summes of Money given for Places and Offices, contrary to the Statute of *2. Ed. 6.* The exactions of great Fees, and the great delays and obstructions of the ordinary course of proceedings, principally by the sale of Offices and Places, supplied by corrupt and ignorant Ministers and Officers ; that by length of time, and want of redresse, the *Chancery* is grown so insupportable to the Common-wealth, so burthen some to the free-born Subjects of this Realme, and so disadvantageous to the true labourers therein ; that the Subject becomes weary of it, and inferiour Clerks and Officers, for want of common-right in a due returne of their unwearied paines (the fruit thereof being reaped by those *Droanes* who purchase their labours, and their owne ease and advantage) that such painfull industrious men are discouraged to continue their service and attendance, and this Court of *Chancery* which was so anciently famous, and erected to so good an end, is like to become a meere *Monopolie* to cozen the Subjects of their Monies.

And for as much as in the Reigne of the Kings Majesty, and severall Kings before, and even at this present time of Parliament and Reformation , those that were formerly Courtiers or Favorites about the King, and now such as are Friends or Favorites to the Parliament, either by favour or purchase, have gotten into their hands all the best and chiefest Places and Offices of Gains, Trust,

Trust, Knowledge and Experience in the said Court of *Chancery*; though very unskilfull, and every way incapable thereof, to the great hurt and prejudice of the Commonwealth and the free-born People of this Nation, and to the great wrong of those that have beene bred up and continued all their daies, from their very Infancy in such Offices and Places, and thereby attained to such Knowledge, Learning and Experience in the severall Conditions and Places thereof, as they were only capable of such Employments and Places that were wrongfully purchased by, or undeservedly bestowed on others; which is contrary to the common-Right and Freedom of free-born Subjects, and tends to the great discouragement of all laborious and deserving men.

To the end therefore this, once right honourable and famous Court may bee rectified and Reformed, and settled in a way fiteable to the end for which it was originally Ordained, Wee humbly Propose as followeth.

I. **T**HAT hereafter no Place Office or Employment belonging to the said Court, of any degree whatsoever, bee bought or sold; but that those who have beene bred up and trained in any necessary Office or Offices belonging to the said Court may (according to their antiquity of Continuance and Ability to discharge the same) bee preferred too, and placed in such Offices and places, whereby it may bee an encouragement to Learning and Virtue, by giving a competent and just reward to those that apply themselves to attaine thereto.

That in as much as the said great Officers, by colour of having payed great summes of Money for their Places and Offices, and by their greatnesse and power, and want of a strict course taken therein; have for a long time taken and exacted from the Subject great and vast summes of money, by way of Fees: By meanes whereof severall Suitors in the said Court have spent more then the value of that they sued for, to the great grievance and oppression of the Subject.

2. **T**HAT the Fees of the said Court, in the severall Offices and Places thereof, may bee abated and reduced to such a reasonable Rate and Allowance, that the Subject may not bee undone in seeking Reliefe for his owne; which may be easily done, and many thousand pounds saved to the Subject, if the first Proposition bee granted, and those that are ably bred up, and most fit, put into such Place or Office; who undoubtedly will be contented with lesse then halfe the Fees that are now payd, and will dispatch the Subjects businesse with more knowledge, dexterity and Judgement.

That for as much as by the meanes of severall Projecting and Monopolizing Persons, divers Impertinent, Unnecessary, Chargeable Offices have beene made and invented, and bestowed on, or purchased by, such Persons who have continued and put the same in execution to their owne vast advantage; to the great charge and obstruction of the Subject, and the hindrance and prejudice of the quick dispatch and prosecution of their Suits, in the said Court of *Chancery*.

3. **T**HAT such Officers, Offices and Places may bee absolutely abolished and taken away, and the same may bee supplied in some more fit and proper way, lesse chargeable to the Subject, and of far speedier dispatch of the businesse.

That for as much as the unnecessary length of Bills, Answeres, and other Pleadings in the said Court of *Chancery*, stuffed with many impertinencies, long and tedious recitalls which might bee drawn and expressed in farre shorter lines, many of them containing five or six hundred sheetes of paper, and some more, whereby the Client is put to unnecessary great expences, and both Court and Councell much troubled and pulled to understand the same, or to draw it to any certainty; and which doth much retard the speedy prosecution and hearing of the Cause: By meanes whereof many contentious Persons, some being of great wealth, and others otherwise very potent have overborne and wearied out many persons of their just Suits and Causes.

4. **T**HAT there may bee some course taken therein to abridge the unnecessary length of such Pleadings, and reduce the same to some certaintie, viz. not to contain above one hundred leaves of paper at most, and that no man may exceede, under a penaltie, without Licence of the Court, in Merchants Cases and others of necessitie.

That by the often misinformation of Clients Solicitours, and Councell by way of motion and Petition, severall Orders have beene and are made many times irregularly, which have occasioned severall other Motions or Petitions thereon; insomuch, that in severall Causes there hath beene 200. Orders made before any positive declarative or decreetall Order therin: and sometimes after Decrees made upon Affidavits, informations by Motions, or unnecessary Bills of Review, the Subjects have beene exposed to intollerable charge, burthen and delay, in the excessive Fees of Councellours Motions, Solicitours Fees, Orders, and drawing of Orders, References and re-References, Reports and re-Reports; to the great wrong and disparagement of the Court and the discouragement of Suitors therein.

5. **T**HAT the excessive Fees of Councellours may bee reduced to a reasonable proportion, and no man to give above that rate, upon a great penalty; it often times falling out that hee who can most Fee Councellours and Officers, thrives best in his Cause though never so unjust: And that unnecessary and dilatory Motions and Petitions may bee avoyded, and the Subject put in a ready and quick way, for the hearing of his Cause: And that long and tedious References to Masters of the *Chancery* (which have often produced severall contrary Reports in the same Cause and Reference) may bee avoided and the Client not burthened with continuall charge and attendance of himselfe, his Councell and Solicitour, to his great delay and charges, which in the end prove often fruitlesse, and rather an occasion of further debate and charge to the Parties, then an end of the matter referred to such Masters.

That for as much as severall Ignorant and Illiterate Persons doe take upon them to bee Sollicitours and followers of Clients Causes, & do take and exact great Fees & allowances for the same, some of them being either *Paupers*, *Taylors*, *Weavers*, *Carpenters*, *Foot-ports* and other persons of no estate or fortune, nor ever bred up Clarke under any Attorney, Clarke or Officers in any Court, or admitted in any Innes of Court or *Chancery*, or any waies capable of such imployment, either in Persons or Estates; have taken and doe take, severall *Subpœnes*, out of *Chancery*; and cause many illiterate and ignorant people to bee served therewith causlessly and out of meere vexation, and more to wrest an unjust Composition, then for any just cause of suite, which is frequently exercised and practised by such persons, in the Northern and Western parts, and in Wales, and other remote places from *London*, to the great grievance and oppression of the Subjects, and the prejudice of able men, qualified for that imployment: And moreover such persons, by prosecuting and defending of such Suits for the partie Plaintiffe or Defendant, by their ignorance, underhand dealing and unskilfullnesse therein, have and doe trouble and molest the Court with frivolous and unnecessary Suits, Motions, and Irregular-proceedings, and often times are the cause of the overthrow of many good Causes, which by due prosecution might produce good effects; and nevertheless exact great and unwarrantable Fees and allowances for the same.

6. **T**HAT no Person or Persons whatsoever, under a great penaltie, may bee permitted to take upon them to take or sue forth any *Writs* or *Subpœnes*, or to prosecute or defend any Suit in the said Court (other then the parties themselves) or to take any Fees gratuity or reward for the same, other then such as have beene bred up or served with, or under some Councillor, Attorney, Clarke or able Solicitor for seaven yeares, before, or have beene admitted in one of the Innes of Court or *Chancery* and have there studied or practised for the space of seven yeares after such their admittance; whereof, and of their
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sufficiencie honestie and abillitie to undertake their Clients businesse, Certificate shall bee made by their Masters, and attested by others of credit, where they have beene educated, or from the Principall and Rulers of such Innes of *Court* or *Chancery*, and other Persons of note and Credit, and may take an Oath in publique Court as Attorneys doe in the *Common-Pleas*, and their names may be entred with the Register of the *Chancery*, and their Fees ascertained to avoid exactions.

And moreover, that to avoid such vexation of the Subject and wresting and exacting from them un-due compositions and summes of money upon service of *Subpœna's* to purchase their ease and quietnesse, rather then to travell to *London* from remote places to answer litigious contentious Persons, of no estate or fortune, not able to pay such costs and charges as the *Court* allows them. That it bee ordered, That according to the antient accustomed course in *Chancery* no man shall (upon a good penalty) take forth a *Subpœna* or sue any Defendant therewith before a Bill exhibited in *Court* under some Councillours hand, of the just cause of Complaints, wherein hee prayes Proesse and whereupon the same is grounded.

That for as much as severall Persons ignorant of the course, practise and proceedings in the said *Court of Chancery*, and such that were not originally trained up Clerkes there, or have practised or imployed themselves in the said *Court*, whereby to attaine to the knowledge thereof, in the raigne of the late King and severall Kings before, especially during the late times of *Monopolies* and *Patentees*, and other grievous oppressions and insupportable *Monopolies* imposed upon the Subjects of this Realme, have contrary to command, right and freedome, obtained a most grievous and insufferable *Monopolie*, under the notion of a *Charter* from the King, of the place and places of six Clarkes in the said *Court of Chancery*; and a grant therein of severall vast Fees and allowances from Suitors in the said *Court*, in the proceeding of their causes, which they have since, by colour of the said *Pattent* or *Grant*, exacted from the Subject; and stopped the
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legall prosecution of such Suitors as refused to pay the same; which Pattent or Monopolie they say they have obtained and purchased with great summes of money contrary to the Statute of 2. Edw. 6. and contrary to Justice and common Right: for which Charters Fees and exactions, and undue Proceeding, by colour thereof, the said six Clarkes were questioned in the Starre-Chamber, and upon good proofes and examinations readie to bee fined and punished, and their Charter null'd upon the petition of Mr. Sharpe, who was obstructed therein by the six Clarkes, as is imagined by rewards, or dissuaded and tooke off Mr. Dibby Clerke to the Commissioners, and others who hindered and stopped the prosecution thereof: And since that, the said six Clarkes have framed and set on foote severall Ordinances (under pretence of the good of the Subject) so destructive thereunto, and to all Clarkes, Practitioners, Solicitours and Suitors in the said Court; that such a Monopolie and Arbitrary Power hath never yet beene attempted by any before in the worst of times, as by the Ordinances themselves, and the Clarkes Answers thereunto, and the Petition and proceedings of Mr. Sharpe, *herewithunto annexed appeares*; which Ordinances the said six Clarkes, neverthelesse, put in execution, three of them being Parliament men, affirming they can each of them ingage 100. more Members in Parliament to justifie and make good their Proceedings.

First, Whereas the ground and end of their employments being to place no man in any Clarkes place or other employment in the said Office, but such as had served their time with a master Clerke in the said Office and were able to write the hand, skilfull in making Write, and of knowledge in the practise of the said Office and able to instruct their Clients and to follow their causes, and such as in their former service in the said Office had given a good testimony of their honestie and good behaviour.

Secondly,

SSecondly, To have the care and charge of bundling up, and filing the Records of the said Office, and to lay up and preserve the same in good order, whereby they may be in a readinesse for the Subjects use upon all occasions.

THirdly, That they should bee able and skillfull men in the Making, Drawing and Perusing of all Decrees, speciall-Writts, called Master-Writts, and all other formes of Writts and Proceesse used in the said Court; and upon any debate betwixt the Clearks, about the Practise or Proceedings of the Office, to bee able to Regulate the same, and to advise the Clients in their severall Offices, and resolve all their Doubts; and in case any matter of irregularity, or undue issuing forth of the said Writts, or any other Writts, or any other Proceedings which the six-Clearks could not settle in the Office. That in case of any Order of Reference, they should bee able to Certifie the Lord Keeper or Lord Chancellour of the truth thereof, and the due Course and Proceedings in such Cases, without any Partiality.

That the Six-Clearks contrary to the said first end of their Places and Employments, especially in these times, have and doe admit into places of Practizing and Writing-Clearks, some of their owne waiting servants, and other strangers that were never bred up or educated in the said Office, nor did serve their time in the said Office, or continued their attendance therein; such as cannot write or read the hand, nor of abilitie to undergoe their Clients Causes, or to direct them in the course of the Court; Some that had lain before in Newgate, Bridewell, the Gatehouse and other Prisons, for foule and ignominious Crimes; some that are grand Malignants and Delinquents, who during the late Warres have discederted the Parliament and their Places and Employments in the said Court, and went to Oxford and other Garrisons of the Kings, and did there Practise and Act, contrary to the Ordinances of Parliament; divers ill-affected Persons to the Parliament and Kingdome; and some that have borne

Armes against the Parliament, and doe still revile and vilifie their proceedings; and notwithstanding the severall Ordinances of Parliament for the expelling of Papists, Delinquents, Malignants, &c. out of the City of *London* and lines of *Communication*, the said Persons, in contempt thereof, and of the Authority of Parliament, have still continued their Residence in *London*: And the said Six-Clearks, though they know the premises to bee true, doe suffer them to continue their Places and Employments in the said Office, for their owne ends; and severall Persons, well-affected to the Parliament and their proceedings; some who have continued their attendance here all the late Warres, and written to the great-Seale authorized by Parliament, contrary to the late Kings Proclamations, to the hazard of their lives; others that have appeared in Armes and hazarded their lives in the field, for the Parliament, and those that have other waies done the Parliament good service, are discountenanced and kept back from Places and Preferment, in the said Office, some of them having constantly served and attended their employments for ten, twelve, fourteene yeeres, and some more; having had great summes of money given with them, and are of sufficient abilities to perform all the duties of Clearks, to the great discouragement of the said persons, and all other laborious and industrious persons in the said Office; contrary to common-right and interest of freeborne Subjects; contrary to the severall Ordinances of Parliament, and the trust in them reposed, as Members thereof, and contrary to the end and duty of their places and employments.

That the said Six-Clearks, contrary to the second duty of their Places, have not only neglected the due Ordering, Bundling, Filing and Preserving of the said Records, but have suffered some of them to bee so mislaid that they cannot bee found when the Subject hath use thereof; and by admitting into the Office the persons aforesaid, and for want of care and due regard had in the discharge of their Places, have suffered many Decrees, Bills, Answers, Copies, and other Pleadings to bee imbeziled away and purloyned, by such loose Persons as were by them admitted into
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the Office for their owne advantage, to the prejudice of the Clients, and the wrong and scandall of honest Clarkes in the said Office: And the said six Clarkes, instead of framing a quick and ready way for the bundling, entring and filing of the Records and the entries of Writs Proccesses and other Proceedings in the said Court have imposed upon the Clarkes a burthen to enter the same in so many needlesse frivolous places, and in such way and manner, that thereby the Clarke is troubled and hindred in the dispatch of his businesse, and the Client retarded and put to unnecessary charge: All which is meerely for their owne ends, and to raise a Gaine and advantage to themselves contrary to the duties of their places.

That the six Clarkes contrary to the third end of their places and undertakings, are neither skillfull in the making framing and penning of any Writs belonging to the said Court nor able to write the hand or reade the same as they ought to doe, nor have any knowledge in the practise of the Office and proceedings in the said Court, most of them; till within this two or three yeares, when they obtained their places being meere strangers to the Court and imployment they have undertaken; by meanes whereof the said six Clarkes upon severall Referrences made to them, have, *virtute officij*, made severall Reports and Certificates contrary to the ancient and usuall practice and proceedings in the said Court, and contrary to the knowledge and experience of all the ancient Clarkes and practitioners in the said Office; some of them having practised there thirty or fourty yeares and upwards, by meanes whereof many Clients have beene not only retarded in their businesse, but also put to unnecessary charges and expences and some times undone, to the discouragement of all Suitors and all knowing men in the said Office; some of the six Clarkes having severall times made Certificates against their owne Clients, and contrary to truth, out of meere ignorance; and yet nevertheless doe take and exact great summes, and fees of money from the Subject; taking three shillings foure pence fee upon the filing of every Bill and entring every appearance,

and so forwards three shillings foure pence every Terme till the Hearing, under the notion of an Attornies Fee; whereas they neither know nor see the Client till the hearing of the Cause, nor doe so much as advise or instruct him (which indeede some of them cannot) as other Attornies, in all other Courts doe, and ought to doe in the discharge of their Consciences and the Duty of their Places; but the Six-Clearks, to ease themselves, put all the worke upon the Clearks, who have not a penny Fee for their paines: The Six-Clearks take six pence a sheete, out of eight pence, which the cleark receives, and alloweth him and his cleark but two pence for a sheete, for all their paines in copying the same, and in advising, directing and following the Clients Cause, and other charge and trouble incident thereunto; and so take proportionable and more for all Writs and Proceedings in the said Court, and yet the Clarke must be at the hazard of all mistakings and misprisions in all businesses; in the hazard of receiving his monies, and must pay the Six-Clarke before hee receives it, else his Client must suffer, though two hundred miles distant; and having given fifty or sixty pounds, or more, to bee a Clarke; served tenne, twelve yeares, or more, shall be at the pleasure of the Six-Clarke, when, or whether at all, hee shall have a place to practise; and when the Clarke hath purchased his freedom to practise, at a great rate, and by his indultry and labour obtained a settled course of life, shall bee yet at the will and pleasure of the Six-Clarke, and subject to bee turned out of his Place and Ruined for ever without any cause or ground for the same. All which is the height of Tyranny and Oppression, contrary to the course and custome of all Offices, Trades and Professions, and contrary to the Right and Freedom of Subjects: Whereas the Six-Clearks, in respect of the paines and labour they take in their severall places, and the use thereof, doe not deserve twenty pounds *per annum*; and yet they doe exact from the Subject, for pretended Fees, by colour of the said indirect *Charter* or *Patent*, two thousand pounds *per annum* a peece, and more; having lately refused of the Clearkes, one thousand

thousand two hundred pounds *per annum* a peece, for the profits of their Places; and yet all they doe Act in the Office and Court is but in effect, to make Entries, and attendance, that their exacted Fees be not unpaid.

To the end that these unnecessary ignorant Officers may be removed, that the Subjects may have a speedy and quick way for the proceeding of their Suits, and the ancient and most wholesome course and practise of the Court may be observed, and many thousands of pounds saved out of the great unnecessary Fees, now paid and extorted, and the great summes of money (by Delaies and Irregular-proceedings of the said Six-clearks) expended; and the Labourers may receive the fruits of their Labour, and the Subjects the true benefit of their just Suits.

I. **T**HAT in prosecution of the first generall Head it bee Ordered, That the said Charter or Pattennt of the Six-clearks bee absolutely taken away, together with all Fees and summes of money which they take by colour thereof; And that twelve of the ancientest, most knowing, practising-clearks; two out of every Office bee chosen by the major Voices of the Clearks, and presented to the Lord-Keeper, Lord-Chancellour, or Commissioners of the Great-Seale, or Master of the Rolls for the time being; to choose six of them to bee *Overseers*, or *Superintendents* of the six severall Offices, without any thing to bee paid them for the same; and to have a reasonable *annuall*-Stipend for their paines in Bundling, Filing, and Keeping of the Records; Ordering and Regulating of the Office; for Attending the Court to Informe the Lord-Keeper, Lord-Chancellour, or Commissioners, of all the proceedings in each Office, and to satisfie the Court of all Doubts and Variantes in the Office, and other things requisite to bee done, according to the duty of their *Places*.

2.

THAT the Office may bee purged and expunged of all Strangers and Aliens, and persons that were not bred up, or legally admitted, entred and covenanted with their Masters to live in the Office, for a fitting and competent time, at the least six or seaven yeeres; of all such as were bred in other Offices, and lately crept into the said Office, by the meanes of the Six-clearks; all Cavaliers, Malignants and Delinquents, and such as have discredited the Parliament and their imployment, and repaired to, and continued in, the King's Garrisons, all such as came not in time to *London* and have not taken the *Covenant* by the time limited by the Ordinance of Parliament, nor shewed a Lawfull excuse for their absence, all such as have borne Armes against the Parliament, or acted contrary to the Ordinance of Parliament, and all such as are Intruders and indirectly obtayned places in the said Office, before they have served six or seven yeares with a Master, or under some Clarke in the Office and able for the place: may bee all turned out of the Office and disabled to practise or write there any longer; and that such as are capable of an under-clarkes place may continue therein, but they that are incapable, to have deserving men put in their Roomes: And the Master clarkes to bee reduced to the number of twelve in each Office, and to bee sworne Attorneys inrolled and entred for practising Attorneys, and that they may take none to bee their Clarkes but such as they will answer for, and that the time of their first admission in the Office and the time of their continuance with their Masters bee likewise enrolled, to the end (after the expiration of their time) they may bee preferred to the place or places of Attorneys, upon any vacancie in each Office according to their continuance and sufficiencie; and that no Attorney shall after the expiration of his Clarkes time, turne him off, or take another in his stead before hee bee preferred to an Attorneys place, without good and sufficient cause shewed of his ill behaviour and uncapableness to continue in the said Office, attested by two or three witnesses, at least, and the same to bee done

done by the Lord Keeper or Lord Chancellour or Master of the Roles in the presence of the Master, his Clarke and friends that placed him; It being of late times too frequently practised by severall undeserving Masters, who have taken money's of their Clarkes and turned them off to the wild World before halfe their time expended, without any cause, to the great grieve of the Parents, and the utter ruine of their sonnes.

That in as much as the said Six-clarkes out of the respect of their owne gaines and ends, have tyed and compelled the Clarkes to enter all the Attachments, Proclamations, Commissions of Rebellion, Rules of day given to answer, reply &c. in the house booke, the Six-Clarkes and the Registers Office, to the treble charge of the Subject and the like trouble of the Clarke.

3. **T**HAT Hereafter there bee a booke kept by the Superintendent Clarke or his Deputy, tyed safe with chaines and lock't, to enter the same duely, and nothing paid for the entry thereof, and the same to bee entred in no other place.

For as much as heretofore after full Answer come in, the Plaintiffe had libertie to put in exceptions to the Defendants Answer at any time before the cause was dismissed, which some Plaintiffes would prolong, till the cause would bee ready to bee dismissed, of purpose to delay the cause and prejudice the Defendant.

4. **T**HAT The same Tearme the Answer comes in, or the first day of the next Tearme, the Plaintiffe may put in his exception if hee please, and after such time to bee barred from any, and in case the same shall bee found frivolous, then good costs allowed the Defendant according to a bill of costs, and the like for the Plaintiffe if they bee good.

That many Plaintiffes have beene put to unnecessary charge to serve Defendants with *Subpoena's* to rejoyne some of them living farre off, and only a Replication of course, most common-
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ly put in upon the returne thereof, to the Plaintiffes great delay, sometimes by the miscarriage of the *Subpœna*, and sometimes by the parties not returne in time to make Oath of service thereof, which hath often times occasioned great delay, charge and expences in the cause; and in case a speciall Replication comes in, the same may bee soone rejoyned to by the party himselfe or such as hee intrusts, every man being (*de jure*) bound to attend the Court by himselfe, his Attorney or Solicitor during the sitting of the Court.

5. **T**HAT Hereafter no Defendant shall bee served with a *Subpœna* to rejoyne, but upon a generall or speciall Replication filed or delivered to the Defendants Clarke; He, or the Solicitor in the cause, or the Client, shall before the end of that Tearme or within a fortnight after rejoyne thereunto, and joyne in Commission without any rule, giving only notice to the Defendants Clarke, and in case the Defendant will not within that time rejoyne thereunto nor shew good cause to the contrary, then the Plaintiffe to have a Commission *ex Parte*, and neither Plaintiffe nor Defendant to have any further or other Commission without speciall Affidavit that they had materiall witnesses which they knew not of before, that were beyond the Seas or were sick, and could not bee examined, and then in such or the like case the partie on whose behalfe the Affidavits is made shall have another Commission retornable the next Tearme and the other partie to joyne therein, if hee please, it being the constant practise of the common-Law in their most weightie businesses as soone as they pleade to goe to issue without any service of the partie, only notice given to the Attorney on the other side, which course may as well bee used in *Chancery* if the partie either by himselfe, his Solicitour or Attorney, attend the same.

That for asmuch as both Client and Clarke are put to much charge and trouble to give rules of publication and to enter the same foure times in foure severall places, which sometimes by

by the length of time allotted for that purpose, and other times through the least misprision or slip of the Clarke in entring thereof in those severall places enforced by the Clarks to their owne advantage, the Client hath beene put to much trouble, and sometimes occasions severall motions, as well upon the issuing due or undue Commissions, as also the entring of Rules of publication being only matter of course and formalitie, but now of late, by the meanes of the Six-clarkes, made a meere snare, to catch each partie and to put them to trouble, charge and delay.

6. **T**HAT It bee ordered, That as soone as the Commission is returned and filed with the Superintendent Clarke; that rules of publication may passe peremptorily within three weekes after, unlesse upon Affidavit and good ground there bee sufficient cause shewed to the contrary, or else the Plaintiffes cause to bee set downe for hearing for the next Tearme following of course.

That anciently the Master Clarke of the *Chancery*, and none other, did make all sorts of *Subpœna's*, which were then had at an easy rate, and were dispatched by every Clarke with expedition according as his Client had use thereof; but during the latetimes of *Monopolies* and *Pattents*, the making of *Subpœna's* hath beene reduced to the hands of three persons, out of the Office, and the same made a particular Office by it selfe, by some *Grant* or *Pattent* from the King, who have by coulour thereof exacted and extorted from the Client great Fees for every *Subpœna*, some two shillings six-pence, some three shillings, and some six shillings and eight-pence; by meanes whereof those that had, and obteyned the said Monopolic, have raised to themselves two thousand pounds *per annum* a peece, and have forced both Clarke and Client to attend their leisures, sometimes a weeke for the same, and many times the Clarkes themselves in the mid'st of their employment have beene forced to repaire to this usurped Office and make the same themselves, and pay their full demand

and pretended Fees, for a meere stamp thereon, and afterwards to send it to *Westminster* to bee sealed to dispatch the poore Client, being forced to stay in Towne sometimes a weeke to waite these gentlemens pleasure to make it; and it many times falls out after the Client hath waited so long and travelled one hundred or two hundred miles; or more, to serve the Defendants, the same hath beene mistaken, by the hastinesse of the Clarke, there being but three that have ingrossed the same into their hands, from above threescore and ten that formerly made the same; to the delay and charge of the Client, the infringement of the Rights of the said Master-clearks, and a burthensome charge and trouble to the *Common-wealth*.

7. **T**HAT in order to the third generall-Head, it be Ordered, That the said Monopolie or Patent bee annulled, together with all Fees thereby accruing, and that all *Subpœnas* bee henceforth made by each practizing Attorney for his Client; and for preventing of any others to forge or make the same, that there bee a booke kept by the Superintendent-clearke, or his Deputy, by turnes every yeere, for entries thereof, and some reasonable allowance for the same, and every Attorney to write his owne name on the back of the *Subpœna*, that it may bee known who made the same, and who deals in that cause, and the Client to pay reasonable Fees for every *Subpœna*.

That in like manner there hath crept in another Patent or Monopoly called the *Affidavit* Office, where the Master thereof, and his Deputy, enforce the Client to File and Enter *Affidavits*, and take copies thereof *will hee, nill hee*, and to pay him his owne demands for the same, whereas the same is crept in as lately as the *Subpœna* Office, and of as little use, and of as great charge and trouble as the other, where the Client must dance attendance to have his *Affidavit* Entred and Filed, and to have Copies and Certificates thereof, and sometimes upon a slip of *non-Entry* thereof, the adverse party upon a Certificate of this new created Office

Heer can overthrow all the Clients Proceedings, and put him to grievous charge, trouble and delay, which is a great grievance and oppression to the Subject and not fit to bee continued any longer.

8. **T**HAT It bee likewise Ordered, That the said Affidavit Office bee taken away, and that all Affidavit before any Motion or Proceedings thereon, bee filed with the Superintendent

Clarke of the Office in good order, and an Alphabet kept thereof, and the Attorney of the other side to bee acquainted with the filing of it, that hee may take off the same if hee please, and make a copie thereof at an easie and cheape rate for his Client, and afterwards to file the same againe in the same place, to the end it may remaine upon Record to bee made use of against the partie that made, it in case of perjury &c. which will much ease the Clarke and Client of trouble and charge and bee a quick dispatch of the businesse.

9. **T**HAT In Order to the fifth generall head, the Fees of Councillours may bee ascertained and to have a competent tearmely Fee in every cause futable to the degree of their calling,

and none under a great penaltie, either directly or indirectly to take any more Fee in that cause that Tearme for any further Motion &c. which will bee a good meanes to avoid those multitudes of unnecessary Motions and Orders, that have for a long time beene made in severall causes by the violent prosecution of troublesome litigious persons, sometimes to the undoing of his adversary, and sometimes of both.

10. **T**HAT No Client or Councillour shall misinforme the Court upon any Motion, nor make any Motion in Court before notice in writing left with the adverse partie, his Clarke, Attorney

ney or Solicitour in the cause before, of the time and effect of his Motion, to the end the same may, before Motion, bee reconciled, if possible, without Motion; or else, that the other partie may, with his Councell instructed, attend to defend the same; and that upon such notice and hearing of Councell on both sides, the same may bee a conclusive Order in that cause as to that particular point then moved, and Ordered, which will much avoid the multiplicity of Orders and bee a likely meanes to save the Subject many thousand pounds *per annum*.

11. **T**HAT No Order upon Petition may bee granted to overthrow or alter any Order made in open Court, or any Motion or Petition to the Master of the Rolles or other Judge, to alter that which was Ordered and settled by the other; but to bee done before or in the presence of him that made and granted it, and that in case of misinformation by Motion or Petition, the partie to bee severely punished; and that noe Petition shall bee preferred or granted before a copie thereof, *gratis*, first delivered to the adverse Partie, his Clarke, Solicitour or Attorney in the cause, and notice of the time when the same is exhibited, to the end hee or they may attend to defend the same, which will bee a meanes to avoid multitude of Petitions and Orders thereupon sometimes surreptitiously and irregularly obtained to the great abuse of the partie that grants it, and the dishonour of the Court, and the charge and grievance of the Subject.

12. **T**HAT It bee ordeyned, That no matter shall bee referred to Masters of the *Chancery*, except it bee long and tedious Accompts betwixt Merchants, Factors and Tradesmen, or some tedious matter that cannot bee determined in Court without great trouble and hinderance of other causes that require a quicker dispatch; and no Master or his Clarke to his use (under a great penalty, directly or indirectly, to take any fees, gratuities or rewards for

for any Reports save only foure-pence for every lease hee drawes or copies for the Client ; and that Masters may bee ordered to make their Reports pithily and with expedition where-by the Clients may not bee wearied and undone with delays and expence, as many have bene by granting new Warrants for new dayes, from time to time, to trie who bids most for his cause, and putting the Clients to great charge and expences in severall attendances, severall dayes with their Councell, Sollicitour and Attorney, and in the end receive no fruit, but sometimes obteyne Reports quite contrary to the meritts and truth of the cause, other times, one Report drawes another Reference, and that a contradictory Report to the former, and so *ad infinitum* to the scandall of the Court and the discouragement of Suitours and just causes.

For as much as it is the generall complaint of many Suitors in the said Court of *Chancery*, that divers have bene, and usually are put to divers unnecessary and excessive charges by Registers, Enterers and Writers of Orders, their Deputies, Clarkes and Agents in the said Court ; and that divers and sundry unnecessary Orders have bene made in the said Court and drawne out much longer then is or hath bene necessary, for the meere gaines of Officers, troublesome and burthensome both to Court and Councell, and hurtfull and chargeable to Suitors there, and that there hath bene multitudes of such Orders made in the said Court ; that divers who have given long and tedious attendance before they could get any entries or copies thereof to bee made, by reason (as it is thought) of money or reward given or promised to Registers their Deputies, Clarkes, Servants and Agents to drawe up such Orders it is clear or to some other sence then the said Court did truly direct and order, the same being carried from Client to Clarke, from Clarke to Councell and altered and changed to their owne sence and advantage ; by reason whereof, many good causes have miscarried and the Client bene put to much charge, perplexity, trouble and travell to resort to the Councell, after

to the Lord *Chancellour*, Judge or Judges to have the same drawne and entered according to the true sence thereof; and whereas it is reported that many others who have not undergone such trouble, perplexity and toyle before they have procured or could procure such orders to bee drawne according to the true sence of the *Chancellour*, Judge or Judges, who made or pronounced the same, have bene at great charges in giving large rewards to such Registers their Deputies or Clarkes (who have agitated therein.) And whereas it is, and hath bene generally reported and much complained of, that the said Court hath bene so full of businesse that many Suitors could have no Proceedings there without great trouble and charge, and that divers before they could have an end of their Suits there, have spent as much or more then that which they have sued for there hath bene in value, besides their trouble and perplexitie of minde, for many yeares together; and divers others by such obstructions have bene almost distracted in minde, and others utterly undone, and that some have given over and left good causes for lost, and proceeded no farther in them, by reason of the extreame charge and trouble which they have not bene able to undergoe after they have bene brought in and intangled in suit in the said Court, and principally by the multitude of Orders and the excessive charge thereof and trouble occasioned thereby; the place of a Master of the Registers Office according to the fees now taken, being worth one thousand five hundred or two thousand pounds *per annum* at least,

13. **T**HAT In pursuance of the first generall head or Proposition, the now Master of the Registers Office together with his Patent or Grant thereof may bee absolutely taken away and disabled to continue the said place, or to take or extort such great fees and summes of money of the Subject, as formerly hath bene done, and that there may bee two or more Master Registers, *gratis* appointed

pointed of his Deputies or such as were bred in the said Office of most ancient standing and best abilities to discharge the same, and so for the future such Clarkes only as are or shall bee bred up in the said Office upon any vacancy to have the place *gratis*.

And that such Registers shall alwaies attend the Court, and enter all Orders in their Bookes or Registry, pithily, as Secondaries doe at the Common-Pleas and Kings-bench, directly according to the Sence and Declaration of the Chancellour or Judge that makes or pronounceth the same, and shall draw the same Order, short and compendious accordingly, without any recitall of Councellours Allegations, former Orders, Overtures of the Court and Councell, or incerting the Courcellours Breviate and Instructions, as many times they do; to the great charge of both Parties, and trouble of the Court and Councell; That the same may bee rendred, as neere as may bee, to the Rules and Orders of the Common-Law; for which the Register shall have a certaine reasonable allowance, and for every Order, long and short, one with another, and not three shillings a side as formerly, and that all Entries, Certificates, Copies of Orders, &c. may bee reduced to the same proportion, whereby every man may have a competent gaine, and the Subject eased of much trouble and expence.

14. **T**HAT the like Course and Method may bee used and taken in the Regul:ing of the Fees and Officers of the Examiners Office, the Petty-bagg, the Cusitors Office, and all other Offices belonging to the said Court of *Chancery*; that Conscience may be used as well in the Practick as the Theorick, and that Justice may flowe like Rivers of waters, and Righteousnesse may flourish like a Bay-Tree; more especially, that course may bee taken with the Examiners Office; where the Examiner takes two shillings and six pence upon the examining of every Witnesse, twelve pence *per* Sheete for all Copies;

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ten shillings for bare Examination of any old Record to bee used in any Court for matter of evidence, and divers other intollerable fees and exactions; And whereas all Records should bee at all times ready for the use and benefit of the Subject, and the pretence for which the examiners take their vast fees, is under colour thereof; yet the said examiners their Clarkes and Deputies, will not permit the Subject in their presence to read or view, or to heare read any Record in their Offices, though they have bene proffered a very large consideration for their paines therein, but tie the Subject to take Copies sometimes of two hundred or three hundred sheetes of paper, and pay after twelve-pence *per* sheete for the same, for their owne gaines and advantage: whereas it may fall out afterwards that no part thereof, and sometimes but two or three sheetes thereof is needfull or usefull for the Subjects purpose; wick is a great grievance to the Subject and contrary to the duty of their places, and the end of their employment, and the Liberty of the Subject: As also for the abolishing of Fines paid on the issuing forth of Originall Writs, to the great oppression of the Subject, and for taking away the Fee upon damage Cleare.

For as much as a great deale of Money, Trouble and Attendance is used in the obteyning of *Injunctions* upon *Attachments*, or upon *Dedimus Possessat*. till Answers, &c. *Injunctions* for Possession; Commission to Plead, Answers or Demurrer; *Dedimus Possessat*; References to Masters, and the like, being all but matter of Forme and Course, and never denied upon Motion.

15. **T**HAT the superintendent Clarkes in each Office, where the Cause depends, shall Grant and passe all these of Course, and put Hands thereunto, without any Reward for the same, and without any Attendance on the Lord Keeper or Lord Chancellour, to get the same Signed, as formerly; which will avoid much trouble and charge

charge to the People, and will much ease them in the dispatch of their businesse, and abate the great Fees payed for the same; such Motions, Attendance, Signiture, and the like, being meere ceremonies, and rather made to draw Fees and gaines to severall impertinent Officers, then any advantage to either partie, Plaintiffe or Defendant.

For as much as a great deale of money is spent by Petitions, Motions, Orders, Referrences, Re-referrences, and Orders upon Orders, made concerning the undue or irregular proceedings and entries in the said Office; the Client being put to the charge of Councillors Fees, to move to draw the Order, to procure a Warrant to attend the Referrence, to Fee Councell and Attorney to attend the same, and long attendance to get a Certificate; then again to bee at the charge of a Motion in Court, to have it confirmed, and further order therein: by meanes whereof, many have beene long delayed, and spent much Monyes; and all the matter in variance meereley, in point of practise betwixt the Clarkes.

16. **T**HAT It bee Ordeyned, That the foure Superintendent Clarkes, not towards the Cause upon complaint made to them in this behalfe, shall grant a note of summons under their hands, to the partie complaining, to summon the other partie and his Clarke to attend the Referrence, and to deliver the Partie, his Clarke or Solicitor his exceptions, or cause of complaint, in writing, whereby to attend to defend the same, at the time appointed for that purpose, in case the parties and their Clarkes cannot in the interim reconcile and end the same: But in case of failer thereof, the Superintendent Clarkes aforesaid to heare and end the same, and make their order therein, and tax costs to either partie agrieved, as they see cause, which will much ease the Court, and avoid delay and expences.

That in as much as divers litigious persons, and others of great Wealth and abilitie, doe preferre severall Billes of purpose to

vex and molest the parties Defendant, and divers times the Defendant, before the cause comes to hearing, hath expended 5. or 600.l. sometimes 1000.l. sometimes more; and yet at the hearing, though the Bill bee dismissed, hath little or no costs allowed him; or them; and so on the other side, when Plaintiffs have beene put to great charge, to bring their cause to hearing, by the strong opposition of obstinate contentious Defendants, and though it appeare, at hearing, hee had good cause of suit, and peradventure the matter in question bee ordered and decreed to him; yet no costs allowed him; both which cases seeme unreasonable.

17. **T**HAT Hereafter both Plaintiffe and Defendant, in case of a decree for the one, or dismissal for the other, shall have their costs allowed according to a Bill of costs taxed by the Superintendent Clarkes, not towards the Cause.

That in respect of the small charges allowed to bee pay'd for contempts of the Court, and the want of due punishment of the contemnners thereof, the Court is very often abused and vilified, and the Suitors much delayed and prejudiced; the costs upon contempts being nothing neere so much as the Client is out of Purse.

18. **T**HAT the costs bee raised, and a certaine Fine lay'd on every severall contempt, according to the nature thereof, and one halfe to goe to the Prosecutor, and the other to the Poore of the Parish, where the Partie in contempt lives.

19. **T**HAT For the perfecting of these severall Proposals, and rectifying of the abuses herein before recited; There may bee some Persons, well affected to the Public,

the Chancery.

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*The Six-Clearks-Office, worth 2000.l. per annum
a peece, and upwards.*

F O R all Copies of Bills, Answers, and other Pleadings, for every Leafe (contayning fiftene lines) <i>per fol.</i>	
For every Attachment with Proclamation and the Seale.	
For every Commiſſion of Rebellion, beſides the Hamper, Signature, Entry, Inrollment and other Fees	
For every <i>Dedimus Potest.</i>	
For every ingros'd Bill, formerly there was paid to the Clarke 6 d. <i>per fol.</i> be- ing the maine and only ſubſiſtence hee had to live upon, which if taken away no Clarke can ſubſiſt without a confirmation of this Table and an advancing of the Fee of the <i>Dedimus Potest.</i> which in the Chequer is 18.s. 4.d. and the ingros'd Bill paid for nevertheleſſe, and may upon the eſtabliſhing this Table bee reduced to 4.d. <i>per fol.</i> or leſſe, or abſolutely aboliſhed, ſo the <i>Dedimus</i> Fee bee raiſed accordingly.	
For every Commiſſion to examine Witneſſes.	
For every Writ of Execution of an Order of Court.	
For drawing and inrolling every Decree, and every Diſmiſſion, formerly 1 l. 13.s. 4.d. but farre better if 12.d. <i>per fol.</i> drawing and inrolling, which i the moſt certaine and indifferrent way for the Clarke and Client, and not in- groſſas formerly.	
For every Writ of Execution of a Decree, <i>per ſkinne</i>	
For every Exemplification of a Record, which comes but ſeldome, <i>per ſkinne</i>	
For drawing and ingroſſing every Injunction, beſides Signature, Inrolling and other Fees, which may bee ſpared.	
For every <i>Superſedeas</i> , <i>Certiorari</i> , <i>Procedend</i> , <i>Habeas Corpus</i> , and ſuch other ſp- ciall Writs, which happen but ſeldome, beſides Signature.	
For the writing of every Patent, which is great confirmation <i>Innoceſſimus</i> , <i>Ex</i> <i>ſpeciali Licenſa</i> , <i>Speciall Commiſſion</i> , <i>Pardon</i> , <i>de infamia</i> , &c.	
done uſed, <i>per ſkinne</i>	
For the ſiling of every Bill, every Apperance.	
For every Certificate of any Proceedings of the Court.	
Out of every Cauſe while it is Depending in Court (though nothing done by him for it) every Terme.	

<i>The Six-Clearks Fees.</i>	<i>How little there of the under- Clarke baith</i>			
0 l. 0 s. 8 d.	0 s.	2 d.		
0. 2. 10.	0.	10.		
0. 8. 0.	2.	8.		
0. 7. 10.	1.	8.		
0. 0. 0.	0.	6.		
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0. 7. 10.	1.	8.		
1. 13. 4.	6.	8.		
1. 6. 8.	6.	8.		
1. 6. 8.	6.	8.		
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1. 6. 8.	6.	8.		
0. 3. 4.				<i>Out of all which</i>
0. 3. 4.				<i>Fees the</i>
0. 3. 4.				<i>Clarke baith nothing.</i>

cient reward, and may amount to 4. or 500.l. per annum, at least, and will spare the Common-wealth (in a due
dispatch of this businesse) many thousand pounds: if but two Superintendent Clarke be appointed, which really
the 3.s. 4.d. will be more then sufficient for them, and may be divided betwixt them and the Clarke, or Attorney
indeed is the best way, and will be a good encouragement for the practising Attorneys (now called practising Clarke)
Causes and spare them many a solicitos Fee, now payed. [*]

*The Fees of the Inrollment-Office (worth 1000.l. per an. and upward)
demanded by the Six-Clearks, and three Mrs. of the Petti-bag, by
colour of a Patent or Charter from the King.*

F O R every Roll.	
For every Recognizance	
For every Exemplification; <i>per ſkinne</i>	
For every <i>Scire Facias</i> .	
For every Cancellation.	
For every <i>Dedimus Potest.</i>	
For every Copy of Ladenture or Recognizance. <i>per ſheete</i>	
For every Search in old Bookes.	

<i>The Mr's. Fee.</i>	<i>How little there of the Clarke baith</i>			
0. 10. 0.	2.	0.		
0. 2. 0.	0.	0.		
1. 6. 8.	6.	8.		
0. 5. 0.	1.	0.		
0. 3. 4.	1.	4.		
0. 10. 0.	2.	0.		
0. 0. 8.	0.	2.		
0. 1. 0.	0.	4.		

Paid to the Mr. of the Rolls, over and above the said Fees.

Out of which

E T A B L E.

what will content the Labourer.	what will be saved to the comon wealth.			
1 d.	0 s.	4 d.	0 s.	4 d.
10.	1.	8.	1.	2.
8.	4.	8.	3.	4
8.	4.	6.	3.	4
6.	0.	4.	0.	2.
8.	4.	6.	3.	4.
8.	4.	6.	3.	4
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8	3.	4	3.	4.
8	15.	8.	15.	6.
of all ch s the k bar ing.	which being paid to the Superintendent Clarke for keeping filing the Re- cords and attending the Cauis to certifie them of all the proceedings of the Office, will bee a suffi- a due, quick, regular and cheap really will bee sufficient, then Attorneys in each Office, which Clarke) to manage their Clients			
what will content the labourer.	what will bee saved.			
0.	5.	0.	5.	0.
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of which fees the Clarke Ca inn				

[*] The severall Labours, Troubles and Expences of the Clearks in the Six-Clearks Office; for which (by the present Table of Fees, or from the Six-Clearks) they have no certain Fee or allowance at all; (though they were formerly rewarded, by their Predecessors, with Chamber-rent and Diet) Tendred to the Consideration of the honourable-Committee, for such allowance therein as to their Judgements shall seem meete.

1. THE bespeaking of all Subpoenas, of what nature or qualitie soever they be.
2. The Filing of all Bills, and Bundling of all Records, and entring of them.
3. The wayting on the Register, for drawing up copies of Orders, and to assist the Client therein.
4. The attending upon the Masters, to see the Defendants sworn, and all other Oathes taken by them.
5. The answering and directing of all Clients, as to the merriits of the Cause, and all other Proceedings.
6. The making of all Bills of Costs, and seeing them entered with the Register, the taxing them with the Master, and seeing them Entred in the House-book.
7. The entring of all Attachments in the House-book, the Six-Clearks-book, and the Register.
8. The wayting on the Examiner to see and direct Witnesses to bee regularly-Examined, and to give notice to the Clyent when Witnesses are Examined against them.
9. The Wayting and Attending on Councell as occasion doth require, in the absence of the Sollicitors.
10. The attending the Hearing of the Clients Cause, before the Six-Clearks, the Masters, the Master of the Rolls and at Westminster.
11. The drawing of all Decrees, Dismissions, speciall-Commissions, Injunctions, and other speciall Writts; The many Fees being taken by the Six Clearks, and the Clearks allowances taken away by the late Lord Conventries-Table, which Table was procured by the Six-Clearks.

The Examining of all Copies of Pleadings

For every Writ of Execution of an Order of Court
 For drawing and inrolling every Decree, and every Dismission, formerly 1 l. 13 s. 4 d. but farre better if 1 s. d. *per fol.* drawing and inrolling, which is the most certaine and indifferent way for the Clarke and Client, and not ingrossed as formerly.

For every Writ of Execution of a Decree, *per skinne* _____
 For every Exemplification of a Record, which comes but seldome, *per skinne* _____
 For drawing and ingrossing every Injunction, besides Signiture, Inrolling and other Fees, which may bee spared. _____
 For every *Superfideas, Cerciolar, Pro. dand, Habeas Corpus*, and such other speciall Writs, which happen but seldome, besides Signiture. _____
 For the writing of every Patent, which is great confirmation *Innotassimus, Ex* _____
 For every *Speciall Licence, Speciall Commission, Pardon, de infam. & S.* _____
 done used, *per skinne*, _____
 For the filing of every Bill, every Appearance, _____
 For every Certificate of any Proceedings of the Court. _____
 Out of every Cause while it is Depending in Court (though nothing done by him) for it every Terme. _____

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1.	6.	8.	6.	8
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1.	6.	8.	6.	8
0.	3.	4.		Out of all which Fees the Clarke hath nothing.
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0.	3.	4.		

cient reward, and may amount to 4. or 500 l. per annum, at least, and will spare the Common-wealth (in a due dispatch of their busynesse) many thousand pounds: if but two Superintendent Clarke be appointed, which really the 3 s. 4 d. will bee more then sufficient for them, and may bee divided betwixt them and the Clarke, or Attorneys indeed is the best way, and will bee a good encouragement for the practising Attorneys (now called practising Clarke) Causes and spare them many a *solicitor's Fee*, now payed. [*]

The Fees of the Inrollment-Office (worth 1000 l. per an. and upward) demanded by the Six-Clearks, and three Mrs. of the Petti-bag, by colour of a Patent or Charter from the King.

F O R every Roll. _____
 For every Recognizance _____
 For every Exemplification; *per skinne* _____
 For every *Scire Facias*. _____
 For every Cancellation. _____
 For every *Dedimus Potestas*. _____
 For every Copy of Indenture or Recognizance. *per sheete* _____
 For every Search in old Bookes. _____

Paid to the Mr. of the Rolls. over and above the said Fees.

F O R every Deede, Recognizance or other writing Inrolled. _____
 For every Exemplification. _____
 For every Cancellation. _____
 For Signing every Commission. _____

The Examiners-Office (worth 2000. l. per annum a peece.

F O R the Examination of every Examinant. _____
 For Copies of all Depositions, Examinations and Interrogatories; for every thre containing fiftene lines, 1 s. *per fol.* which in one Cause hath come to 30. or 40 l. and some more. _____
 For search and their hands to the Copies of any Examinations to bee certified to another Court. _____
 For the Exemplification of all Depositions and Examinations after the rate of every *skinne*. _____

The Subpenna-Office, worth 3 or 4000 l. per annum.

F O R every Subpenna, *Ad compend. Solvend. Miss. Rejungend. Audiend. Judic.* 2 s. 6 d. if but one or two names, if three names 3 s. _____
 For every Subpenna of *Ducens tecum* or grounded on any Order of Court. _____
 For every renewed Subpenna. _____
 If at the fault of the Clarke it is renewed 6 d. though in conscience nothing should bee paid. _____

This Office being a Monopolie, and very chargeable and unnecessary, is desired to bee taken away, and the Office, now called practising Clarke, or so many more as shall bee thought necessary to dispatch the Clients busynesse one make Subpennas for his owne proper Client; which if granted (as in reason it cannot bee denied) will bee Common-wealth.

The Registers-Office worth 3000 l. per annum and upward.

The Mr's. Fee.			How little there is the Clerk hath	
0.	10.	0.	2.	0.
0.	2.	0.	0.	0.
1.	6.	8.	6.	8
0.	5.	0.	1.	0.
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0.	0.	8	0.	2.
0.	1.	0.	0.	4.
			Out of which (ber) have no the maintenance of families peeces.	
0.	2.	0.		
0.	6.	8.		
0.	6.	8.		
0.	1.	0.		
The head Examiners Fees.			The Deputy Cl. Fee.	
0.	2.	6.	0.	0.
0.	1.	0.	0.	2
0.	6.	8.	0.	0
1.	6.	8	6.	8
The Fees now paid.			The 3 Cl. that make all the Sub-penna. get not above 40 l. p. an. each.	
0.	2.	6.		
0.	3.	0.		
0.	6.	8.		
0.	1.	6.		
0.	0.	6.		
to be taken away, and the to dispatch the Clients buss cannot be denied) will be				
The head Registers Fees.			The Deputy Fees	

8	15.	4	18.	0.
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8	15.	8.	15.	6.
4	6.	6.	6.	8.
8	3.	4	3.	4.
8	15.	8.	15.	6.

of all which being paid to the
 the Superintendent Clarke
 is the for keeping filing the Re-
 kbat records and attending the
 ing. Court to certify them of
 a due all the proceedings of the
 really will bee a suffi-
 Atto- quick, regular and cheap
 nesses in each Office, which
 (Clarke) to manage their Clients

what will content the labourer.	what will bee saved.
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0. 1.	0. 1.
8 13.	4. 13.
0. 2.	6. 2.
4. 2.	4. 1.
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of which fees the Clarke (3 innu
 have not (communibus annis for
 maintenance of themselves, wives
 families) above 40. l. per an. a
 ce.

what will content.	what will be saved.
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8. 15.	8. 15.
what will content.	what will bee saved.
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3. 4.	3. 4.
0. 6.	1. 0.
0. 0.	0. 6.

and the twelve Attorneys in each
 nts businesse, may hereafter every
 will bee of much advantage to the

what will suffice him	what will bee saved.
0. 1.	0. 1.

cords, and entring of them.

3. The wayting on the Register, for drawing up co-
 pies of Orders, and to assist the Client therein.

4. The attending upon the Masters, to see the De-
 fendants sworne, and all other Oathes taken by them.

5. The infwering and directing of all Clients, as to
 the meritts of the Cause, and all other Proceedings.

6. The making of all Bills of Costs, and seeing them
 entred with the Register, the taxing them with the Mas-
 ter, and seeing them Entred in the House-book.

7. The entring of all Attachments in the House-book,
 the Six-Clearks-book, and the Register.

8. The wayting on the Examiner to see and direct
 Witnesses to bee regularly-Examined, and to give no-
 tice to the Clyent when Witnesses are Examined against
 them.

9. The Wayting and Attending on Councell as oc-
 casion doth require, in the absence of the Solicitors.

10. The attending the Hearing of the Clients Cause,
 before the Six-Clearks, the Masters, the Master of the Rolls
 and at Westminster.

11. The drawing of all Decrees, Dismissions, spe-
 ciall-Commissions, Injunctions, and other speciall
 Writts; The many Fees being taken by the Six Clearks,
 and the Clearks allowances taken away by the late Lord
 Coventries-Table, which Table was procured by the Six-
 Clearks.

12. The Examining of all Copies of Pleadings,
 Decrees, Dismissions, and all other speciall-Writts,
 Inrollments of all Patents, passing the Great-Seale;
 Extreates and Inrollment of Decrees, Sheriffes-Patents,
 their Oathes and Recognizances into Wales, and divers o-
 ther places.

13. The finding the Six Clarke with Paper, Inke,
 Parchment and Candle, in the dispatch of the Businesse
 of the Office; all except that worthy Gentleman Ma-
 ster Pinder, where Paper and Inke is only found by
 him.

14. Their daily attendance on the Court, and the bu-
 sinesse of the Office, neglecting of their Private occasions
 to serve the Publique.

15. The entring of all Rules in the House-book, Six-
 Clearks-book, and the Registers Office.

16. The keeping of Filing-books, Rule books and
 notes of Subpnaes, and making of Docquets of Commissi-
 ons of Rebellion.

17. The giving the Clients notice upon all Orders,
 Rules and other Proceedings in Court, and in the Office.

18. For joyning in Commissions, and Entring the
 same.

19. The laying out of monies for the Client, in all
 payments thereof.

For every Deed, Acknowledgement or Court Writting
 For every Exemplification.
 For every Cancellation.
 For Signing every Commission.

*The Examiners-Office (worth 2000. l. per annum
 a peece.*

FOR the Examination of every Examinant.
 For Copies of all Depositions, Examinations and Interrogatories; for
 every three containing fiftene lines, *s.s. per fol.* which in one
 Cause hath come to 30. or 40. l. and some more.
 For search and their hands to the Copies of any Examinations to bee
 certified to another Court.
 For the Exemplification of all Depositions and Examinations after the rate of e-
 very shilling.

The Subpena-Office, worth 3 or 4000 l. per annum.

FOR every Subpena, *Ad compend. Solvend. Miss. Rejurgend. Audi-
 end. Judic.* 2 s. 6 d. it but one or two names, if three names 3 s. — }
 For every Subpena of *Ducens tecum* or grounded on any Order of Court. — }
 For every renewed Subpena. — }
 If at the fault of the Clarke it is renewed 6 d. though in conscience no-
 thing should bee paid.

*This Office being a Monopolie, and very chargeable and unnecessary, is desired to bee taken away, and the twelve
 Office, now called practising Clerkes, or so many more as shall bee thought necessary to dispatch the Clients business, m-
 one make Subpenas for his owne proper Client; which if granted (as in reason it cannot bee denied) will bee of much
 Commo- realib.*

The Registers-Office worth 3000. l. per annum and upward.

FOR taking of every Order in Court and drawing it up, for every side
 of a lease loosely written. *long & shava.* — }
 For entring every Order, for every side of a lease of Paper. — }
 For Drawing of all Decretall Orders, Dismissions and Decretall Or-
 ders by consent after the rate of 6 s. a side, for an extraordinary Fee
 of the Decree. — }
 For entring the same, for every side of a lease. — }
 The entring of every Attachment, if it bee thought needfull to bee entred. — }
 The entring of every Rule of Publication, Commission, &c. if needfull for each of them. — }
 For carrying every Decree to the Lord Chancellor, Lord Keeper, or Court to be Signed. — }
 For carrying every Dismission to be Signed. — }
 For all Certificats 1 s. d. besides the writing thereof 6 d. — }
 For entring all Pleas and Demuries in the Registers Book to be heard of course. — }
 For all Copies of Reports, Orders, &c. 6 d. every side, and 12 d. the Registers
 hand for the first side, and 6 d. the side every side after.

The Fees of the Affidavit-Office, worth 200. l. per an. and upwards.

FOR filing every Affidavit. — }
 For Copies thereof, for every side wide and loosely written. — }
 For a hand thereto. — }
 For all Certificats a peece.

The Curstors Office, worth in all 10000. l. p. an. & upward.

FOR all Writs whatsoever of any Debt or Damages there was formerly
 paid for a Fine after the rate of 10 s. in every 100. l.
 For every *Definitum* *Pactum* to leave a Fine formerly done was paid
 1. l. 4 s. 4 d. and more, which being an unreasonable Fee, is desired
 to bee reduced to — }
 For all other ordinary Writs, for Actions of Debt and Trespass there was formerly
 paid for making and the Scale 1 s. which is but reasonable to bee continued
 where the number of Defendants did not exceede foure, if more, — }
 For all other Writs upon Actions on the Case and other speciall Writs there was
 formerly paid for some 2 s. 6 d. others 6 s. 8 d. and others more, according to the
 quality of the Action, which I appeneth but seldome, and being very difficult they
 ought to receive the more, which may be but reasonable to bee continued.

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miners Fees. ty Cl. Fee. conten

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The M's. Fee. The Clarke's
Fee. Fee.

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twelve Attorneys in each
 Office, may hereafter every
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1. 8.	5. 0.		
15. 8.	15. 6.		
what will content.	what will be saved.		
1. 0.	1. 0.		
3. 4.	3. 4.		
0. 6.	1. 0.		
0. 0.	0. 6.		

twelve Attorneys in each
 Office, may hereafter every
 of much advantage to the

what will suffice him	what will be saved.		
2. 0.			
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4. 0.	which will save many hundred pounds.		
1. 0.			
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0. 2.	0. 2.		
2. 0.	3. 0.		
2. 0.	3. 0.		
1. 0.	0. 6.		
0. 4.	0. 8.		
1. 6.			

Inrollments of all Patents, passing the Great-Seale ;
 Extreates and Inrollment of Decrees, Sheriffes-Patents,
 their Oathes and Recognizances into *Wales*, and divers o-
 ther places.

13 The finding the *Six Clarke* with Paper, Inke,
 Parchment and Candle, in the dispatch of the Businesse
 of the Office ; all except that worthy Gentleman Ma-
 ster Pinder, where Paper and Inke is only found by
 him.

14. Their daily attendance on the Court, and the bu-
 sinesse of the Office, neglecting of their Private occasions
 to serve the Publique.

15. The entring of all Rules in the House-book, *Six-
 Clerks*-book, and the *Registers* Office.

16. The keeping of Filing-books, Rule books and
 notes of *Subpœnas*, and making of Docquets of Commissi-
 ons of Rebellion.

17. The giving the Clients notice upon all Orders,
 Rules and other Proceedings in Court, and in the Office.

18. For joyning in Commissions, and Entring the
 same.

19. The laying out of monies for the Client, in'all
 Offices, and trusting them for re-payment thereof,
 which of necessitie they must doe in their absence, in re-
 spect of their trust in them, as men from whom only they
 expect an Account of their Businesse, and also for Letters
 to Carriers and Posts, and to porters, too and again, upon
 all occasions.

*These Paines, Labours, Hazards and Expences (being un-
 denyably true) are humbly submitted to the grave-Considera-
 tion aforesaid.*

This Office being a grand Monopolie as well as the Subpœna Office ; is desired to bee taken away, and the
 Superintendent Clarke to file all Affidavits gratis, in good order, and keepe an alphabet thereof ; and each
 Clarke to copie his owne, or his Adversaries Clients Affidavits for 4.d. per fol. and the Superintendent Clark
 for his Termly Fee to make all Certificats gratis ; which will save much trouble and expence to every Client,
 and will bee a speedy way of dispatch, and they not bee forced to attend severall dayes and pay great Fees as
 formerly.

is being a great grievance and oppression, and set on foote in the former times of Monopolies ; is humbly desired
 quite taken away.

lesse the Fees of all those speciall writs may be reduced to 2.s. 6.d. a piece ; which if so, the ordinary writs must
 be raised accordingly, else the employment will not afford a meane and reasonable maintenance.

lique, not ingaged in the upholding of the present oppressions of the said Court, may bee chosen and appointed, out of the severall Offices thereto belonging, to represent, and certifie all the abuses of the said Court, and a way whereby the same may bee remedied; That thereupon the People of this Nation may receive, at last, some fruits of their constant prayers, hazards, and adventures, for Vindication of the Rights, Freedomes, and Liberties of the Free-borne People of this *Common-Wealth*.

F I N I S.

HERE followeth a Table of Fees, conteyning, in the first Colume, the Great Exacted-Fees, which the Grand and Head-Officers belonging to the Chancery doe take from the Common-wealth, in every Cause; for which they take no pains at all, save only attending to Receive them. The second Colume, how little thereof the Clearks and Labourers (that doe all the Service) have thereout; to mainteine themselves, their wives and families. The third Colume, how much will satisfie the true Labourers to doe all the businesse. And the fourth Colume, how much thereby, out of every Fee may bee saved to the Common-wealth, and Particularly to all Parties, Plaintiffs and Defendants, in the said Court, with far more facilitie, and quicker dispatch of their businesse.

THE